

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH JOHN RHULE and  
KENNETH WARREN RHULE,

Defendants.

NO. CR 20-105 JCC

UNOPPOSED MOTION TO CONTINUE  
PRETRIAL MOTIONS DATE

**NOTE ON MOTION CALENDAR:**  
February 4, 2022

**I. MOTION**

Defendant Kenneth John Rhule, by his attorneys Peter Offenbecher and Barry Flegenheimer, and defendant Kenneth Warren Rhule, by his attorneys Angelo Calfo and Henry Phillips, move to continue the pretrial motions deadline to February 18, 2022. Currently, the pretrial motions deadline is February 4, 2022. Trial is scheduled for March 28, 2022. The government does not oppose this motion.

**II. FACTS PERTAINING TO MOTION**

Both defendants were charged by Indictment on August 5, 2020 with conspiracy to manufacture and distribute marijuana and marijuana products in violation of 18 U.S.C.

1 §§ 841(a)(1), 841(b)(1)(A), and 846. Dkt. No. 31. Kenneth Warren Rhule was also charged  
2 with conducting an unlicensed money transmitting business in violation of 18 U.S.C. § 1960,  
3 money laundering in violation of 18 U.S.C. §§ 1956 and 2, and possessing a firearm during and  
4 in relation to a drug trafficking crime in violation of 18 U.S.C. § 924(c)(1)(1). *Id.*

5 The charges the defendants are facing in this matter are serious, potentially exposing  
6 them to 10-year or 15-year mandatory minimum prison sentences. The discovery produced to  
7 date is voluminous, now consisting of over 1,000,000 pages of material.

8 The parties are all working diligently to resolve this matter short of trial. Undersigned  
9 counsels' access to their client, Kenneth John Rhule, for discussion of trial preparation and the  
10 terms of potential resolution has been severely limited by pandemic restrictions and numerous  
11 lockdowns at the FDC over the past months.

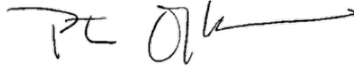
12 In order to preserve the status quo while all counsel work toward a resolution, an  
13 extension of the pretrial motions deadline for two weeks is appropriate.

14 Undersigned counsel have spoken with counsel for the government, Assistant United  
15 States Attorney Philip Kopczynski, who indicates that the government does not oppose a  
16 continuance of the pretrial motions deadline by two weeks.

### 17 **III. CONCLUSION**

18 We respectfully request that the Court extend the pretrial motions deadline to  
19 February 18, 2022 to facilitate the parties' further negotiations aimed at resolving this matter  
20 short of trial.

1 Dated this 4th day of February 2022.

2 

3 \_\_\_\_\_  
Peter Offenbecher  
4 SKELLENGER BENDER, P.S.

5 s/ Barry Flegenheimer

6 Barry Flegenheimer  
BELL FLEGENHEIMER  
7 *Attorneys for Defendant Kenneth John Rhule*

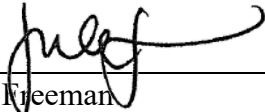
8 s/ Angelo Calfo

9 Angelo Calfo  
10 Henry C. Phillips  
CALFO EAKES LLP  
11 *Attorneys for Defendant Kenneth Warren Rhule*

**CERTIFICATE OF SERVICE**

I, Jule Freeman, certify that on February 4, 2022, I electronically filed the Unopposed Motion to Continue Pretrial Motions Date (together with the proposed form of Order) with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

DATED this 4th day of February 2022.

  
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Jule Freeman  
SKELLINGER BENDER, P.S.  
Case Manager